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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- against -

PERCELL ROSS,

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

JUSTIN GRAY, being duly sworn, deposes and states that he is a Special Agent with the Federal Bureau of Investigation, ("FBI"), duly appointed according to law and acting as such.

On or about October 17, 2021, within the Eastern District of New York, the defendant PERCELL ROSS, knowing that he had been previously convicted in a court of one or more crimes punishable by imprisonment for a term exceeding one year, did knowingly and intentionally possess in and affecting interstate or foreign commerce a firearm and ammunition, to wit: a Hi-Standard, .22 caliber revolver, with serial number 1963219, and ammunition.

(Title 18, United States Code, Section 922(g)(1))

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because this affidavit is being submitted for the limited purpose of establishing

1. I am a Special Agent with the FBI for approximately 4 years and am assigned to the Safe Streets Task Force. I have been involved in the investigation of numerous cases involving firearms offenses. I am familiar with the facts and circumstances set forth below from my participation in the investigation; my review of the investigative file, including the defendant's criminal history record; and from reports of other law enforcement officers involved in the investigation. Where I describe the statements of others, I am doing so only in sum and substance and in part.

2. On or about October 17, 2021, at approximately 10:30 a.m., in the vicinity of 330 Hudson Walk, Brooklyn, N.Y., (the "Subject Location") members of a joint local and FBI Safe Streets Task Force ("the Task Force") were in the vicinity of the Subject Location attempting to apprehend the defendant PERCELL ROSS on an active warrant, dated October 16, 2021, for aggravated assault, First Degree with a weapon, which had been issued out of New Haven, CT. (the "CT warrant"). ROSS was also an identified suspect in a taxicab robbery/shooting homicide which had occurred in Westchester County, N.Y. on or about October 14, 2021. (the "Westchester robbery/homicide").

3. Members of the Task Force were outside the Subject location and identified a vehicle (the "Subject Vehicle"), registered to the defendant PERCELL ROSS and suspected as the vehicle used in the Westchester homicide, parked near the Subject location. As members of the Task Force assembled outside the Subject Location, the

probable cause to arrest, I have not set forth every fact learned during the course of this investigation.

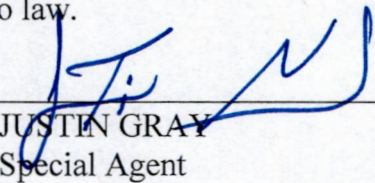
defendant PERCELL ROSS walked out of the Subject Location, towards the Subject Vehicle, but then observing the members of the Task Force began firing gunshots in their direction. During a brief foot pursuit, the defendant ROSS fired multiple gunshots at members of the Task Force, some of whom returned fire at the defendant ROSS. No one was struck by gunfire.

4. The defendant PERCELL ROSS eventually jumped to the side and threw his firearm to the ground and was apprehended by members of the Task Force. A Hi-Standard, .22 caliber revolver, with serial number 1963219, and ammunition were recovered from the ground near ROSS where members of the Task Force observed him throw it.

5. I have reviewed the defendant's criminal history, which revealed that on or about November 26, 2008, in the United States District Court Northern District of Ohio, the defendant PERCELL ROSS was convicted of being a Felon in Possession in of a Firearm, in violation of 18 U.S.C. § 922(g), which I know to be a crime punishable by a term of one year or more, for which he was sentenced to 65 months' federal incarceration. Additionally, on or about November 14, 2014, the defendant ROSS was convicted of the felony of Assault on a Law Enforcement Officer in the Allegheny County Court of Virginia and sentenced to a term of 1 year incarceration. Lastly, on or about March 20, 2017, in the Switzerland County Court of Indiana, the defendant was convicted of the felony of Robbery and sentenced to a term of 5 years' incarceration.

6. I know from my law enforcement training and experience, and online searches of law enforcement databases, that the Seized Firearm and Ammunition were manufactured outside the state of New York.

WHEREFORE, your deponent respectfully requests that the defendant
PERCELL ROSS be dealt with according to law.



JUSTIN GRAY
Special Agent
Federal Bureau of Investigation

Sworn to before me this
18th day of October, 2021

s/ Robert M Levy

THE HONORABLE ROBERT M. LEVY
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK